



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4803

Introduced 1/18/2006, by Rep. Shane Cultra

SYNOPSIS AS INTRODUCED:

805 ILCS 105/114.05	from Ch. 32, par. 114.05
805 ILCS 105/114.10	from Ch. 32, par. 114.10
805 ILCS 105/115.10	from Ch. 32, par. 115.10

Amends the General Not For Profit Corporation Act of 1986. Provides that each domestic and foreign corporation authorized to conduct affairs in the State shall file a decennial (rather than annual) report. Provides that the fee for filing a decennial (rather than annual) report of a domestic or foreign corporation shall be \$50 (rather than \$5).

LRB094 17954 LCT 53257 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The General Not For Profit Corporation Act of
5 1986 is amended by changing Sections 114.05, 114.10, and 115.10
6 as follows:

7 (805 ILCS 105/114.05) (from Ch. 32, par. 114.05)

8 Sec. 114.05. Decennial ~~Annual~~ report of domestic or foreign
9 corporation. Each domestic corporation organized under this
10 Act, and each foreign corporation authorized to conduct affairs
11 in this State, shall file, within the time prescribed by this
12 Act, a decennial ~~an annual~~ report setting forth:

13 (a) The name of the corporation.

14 (b) The address, including street and number, or rural
15 route number, of its registered office in this State, and
16 the name of its registered agent at such address.

17 (c) The address, including street and number, if any,
18 of its principal office.

19 (d) The names and respective addresses, including
20 street and number, or rural route number, of its directors
21 and officers.

22 (e) A brief statement of the character of the affairs
23 which the corporation is actually conducting from among the
24 purposes authorized in Section 103.05 of this Act.

25 (f) Whether the corporation is a Condominium
26 Association as established under the Condominium Property
27 Act, a Cooperative Housing Corporation defined in Section
28 216 of the Internal Revenue Code of 1954 or a Homeowner
29 Association which administers a common-interest community
30 as defined in subsection (c) of Section 9-102 of the Code
31 of Civil Procedure.

32 (g) Such additional information as may be necessary or

1 appropriate in order to enable the Secretary of State to
2 administer this Act and to verify the proper amount of fees
3 payable by the corporation.

4 Such ~~annual~~ report shall be made on forms prescribed and
5 furnished by the Secretary of State, and the information
6 therein required by subsections (a) to (d), both inclusive, of
7 this Section, shall be given as of the date of the execution of
8 the annual report. It shall be executed by the corporation by
9 any authorized officer and verified by him or her, or, if the
10 corporation is in the hands of a receiver or trustee, it shall
11 be executed on behalf of the corporation and verified by such
12 receiver or trustee.

13 (Source: P.A. 93-59, eff. 7-1-03; 94-605, eff. 1-1-06.)

14 (805 ILCS 105/114.10) (from Ch. 32, par. 114.10)

15 Sec. 114.10. Filing of ~~annual~~ report of domestic or foreign
16 corporation. Such ~~annual~~ report together with all fees and
17 charges as prescribed by this Act, shall be delivered to the
18 Secretary of State within 60 days immediately preceding the
19 first day of the anniversary month of the corporation each 10
20 years ~~year~~. Proof to the satisfaction of the Secretary of State
21 that prior to the first day of the tenth anniversary month of
22 the corporation such report together with all fees and charges
23 as prescribed by this Act, was deposited in the United States
24 mail in a sealed envelope, properly addressed, with postage
25 prepaid, shall be deemed a compliance with this requirement. If
26 the Secretary of State finds that such report conforms to the
27 requirements of this Act, he or she shall file the same. If he
28 or she finds that it does not so conform, he or she shall
29 promptly return the same to the corporation for any necessary
30 corrections, in which event the penalties hereinafter
31 prescribed for failure to file such report within the time
32 hereinabove provided shall not apply, if such report is
33 corrected to conform to the requirements of this Act and
34 returned to the Secretary of State within 30 days of the date
35 the report was returned for corrections.

1 (Source: P.A. 84-1423.)

2 (805 ILCS 105/115.10) (from Ch. 32, par. 115.10)

3 Sec. 115.10. Fees for filing documents. The Secretary of
4 State shall charge and collect for:

5 (a) Filing articles of incorporation, \$50.

6 (b) Filing articles of amendment, \$25, unless the
7 amendment is a restatement of the articles of
8 incorporation, in which case the fee shall be \$100.

9 (c) Filing articles of merger or consolidation, \$25.

10 (d) Filing articles of dissolution, \$5.

11 (e) Filing application to reserve a corporate name,
12 \$25.

13 (f) Filing a notice of transfer or cancellation of a
14 reserved corporate name, \$25.

15 (g) Filing statement of change of address of registered
16 office or change of registered agent, or both, \$5.

17 (h) Filing an application of a foreign corporation for
18 authority to conduct affairs in this State, \$50.

19 (i) Filing an application of a foreign corporation for
20 amended authority to conduct affairs in this State, \$25.

21 (j) Filing a copy of amendment to the articles of
22 incorporation of a foreign corporation holding authority
23 to conduct affairs in this State, \$25, unless the amendment
24 is a restatement of the articles of incorporation, in which
25 case the fee shall be \$100.

26 (k) Filing a copy of articles of merger of a foreign
27 corporation holding authority to conduct affairs in this
28 State, \$25.

29 (l) Filing an application for withdrawal and final
30 report or a copy of articles of dissolution of a foreign
31 corporation, \$5.

32 (m) Filing a decennial ~~an annual~~ report of a domestic
33 or foreign corporation, \$50 ~~\$5~~.

34 (n) Filing an application for reinstatement of a
35 domestic or a foreign corporation, \$25.

1 (o) Filing an application for use of an assumed
2 corporate name, \$150 for each year or part thereof ending
3 in 0 or 5, \$120 for each year or part thereof ending in 1 or
4 6, \$90 for each year or part thereof ending in 2 or 7, \$60
5 for each year or part thereof ending in 3 or 8, \$30 for
6 each year or part thereof ending in 4 or 9, and a renewal
7 fee for each assumed corporate name, \$150.

8 (p) Filing an application for change or cancellation of
9 an assumed corporate name, \$5.

10 (q) Filing an application to register the corporate
11 name of a foreign corporation, \$50; and an annual renewal
12 fee for the registered name, \$50.

13 (r) Filing an application for cancellation of a
14 registered name of a foreign corporation, \$5.

15 (s) Filing a statement of correction, \$25.

16 (t) Filing an election to accept this Act, \$25.

17 (u) Filing any other statement or report, \$5.

18 (Source: P.A. 93-59, eff. 7-1-03; 94-605, eff. 1-1-06.)